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Filing date: **02/18/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91215035
Party	Defendant CHD Bioscience, Inc.
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Submission	Withdrawal of Counterclaim
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Signature	/John J. O'Malley/
Date	02/18/2016
Attachments	Motion -Counterclaims.pdf(64998 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Vertex Pharmaceuticals Inc.,

Opposer,

v.

CHD Bioscience, Inc.,

Applicant.

Serial No.: 85/887,894

Mark: VERIOX

Opposition No.: 91215035

APPLICANT'S MOTION TO WITHDRAW COUNTERCLAIMS

Pursuant to the Board's February 12, 2016 Order and Trademark Trial and Appeal Board Manual of Procedure § 605.03(a), Applicant, CHD Bioscience, Inc. ("Applicant"), hereby requests the withdrawal of the Counterclaims against Opposer, Vertex Pharmaceuticals Incorporated's Registration Nos. 2,704,913 and 3,531,356 remaining in the above-captioned Opposition. This request is also filed pursuant to agreements reached between Opposer and Applicant to settle these matters.

As the Opposition against the Applicant's mark has previously been dismissed, following entry of the withdrawal of the counterclaims against Opposer's Registration Nos. 2,704,913 and 3,531,356, the proceeding should be dismissed.

Respectfully submitted,

By: February 18, 2016

Date: s/John J. O'Malley

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*Attorneys for Applicant,
CHD Bioscience, Inc*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this APPLICANT'S MOTION TO WITHDRAW COUNTERCLAIMS is being served via email and first class mail, postage pre-paid, to the following:

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Attorneys for Opposer,
Vertex Pharmaceuticals Inc.

By: February 18, 2016

Date: s/John J. O'Malley
John J. O'Malley